



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 6

**1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733**

September 21, 2012

Lori Allen
Bureau of Land Management
Las Cruces District Office
1800 Marquess Street
Las Cruces, NM 88005

Dear Ms. Allen,

In accordance with our responsibilities under Section 309 of the Clean Air Act (CAA), the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Draft Environmental Impact Statement (DEIS) prepared by the Bureau of Land Management (BLM). The DEIS considers and evaluates alternative management strategies and their potential effects on lands and resources administered by the BLM's Las Cruces District Office in south-central New Mexico.

EPA rates the DEIS as "**LO**" i.e., EPA has a "Lack of Objections" with this Draft EIS. We have enclosed detailed comments that provide recommendations for further clarification and additional discussion in the FEIS. The EPA's Rating System Criteria can be found here: <http://www.epa.gov/oecaerth/nepa/comments/ratings.html>. Responses to comments should be placed in a dedicated section of the FEIS and should include the specific location where the revision, if any, was made. If no revision was made, a clear explanation should be included.

EPA appreciates the opportunity to review the DEIS. Our classification will be published on the EPA website, www.epa.gov, according to our responsibility under Section 309 of the CAA to inform the public of our views on the proposed Federal action. Please send our office one copy of the FEIS and an internet link. Beginning October 1, 2012, you may only file your EIS using our *e-NEPA Electronic Filing* at <http://www.epa.gov/compliance/nepa/submitteis/index.html>. If you have any questions or concerns, please contact John MacFarlane of my staff at macfarlane.john@epa.gov or 214-665-7491 for assistance.

Sincerely,

A handwritten signature in blue ink, reading "Debra A. Griffin", is positioned above the typed name.

Debra A. Griffin
Associate Director
Compliance Assurance and
Enforcement Division

Enclosure

**DETAILED COMMENTS ON THE
BUREAU OF LAND MANAGEMENT
DRAFT RESOURCE MANAGEMENT PLAN AND
ENVIRONMENTAL IMPACT STATEMENT
FOR THE
PREHISTORIC TRACKWAYS NATIONAL MONUMENT
DOÑA ANA COUNTY, NEW MEXICO**

BACKGROUND: The Prehistoric Trackways National Monument Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS) considers and evaluates alternative management strategies and their potential effects on lands and resources administered by the Bureau of Land Management's (BLM) Las Cruces District Office in south-central New Mexico. The planning area is located within Doña Ana County and includes approximately 5,280 surface acres and 4,812 acres of Federal minerals administered by the Las Cruces District Office. BLM management decisions considered in the plan must be consistent with the Omnibus Public Lands Management Act of 2009.

The following comments are offered for your agency's consideration in completing the Final EIS/RMP:

DETAILED COMMENTS

3.2.5 Air Resources

Page 3-10 of the Draft EIS/RMP states the following:

“Air quality monitors measure concentrations of PM throughout the country; Doña Ana County currently has several monitoring stations. EPA, state, tribal and local agencies use that data to ensure that PM in the air is at levels that protects public health and the environment. Two monitoring stations for PM₁₀ can be considered representative of the Analysis Area. The West Mesa site is located approximately 6 miles south of the Planning Area and the Holman Road Site is approximately 12 miles to the east-northeast. In addition, PM_{2.5} is monitored in Las Cruces approximately 7 miles to the southeast. A review of 2010 data indicates that the PM_{2.5} levels have remained well within the standards. PM₁₀ levels show occasional spikes above the 24-hour standard but these are likely associated with naturally occurring dust storms. The New Mexico Environment Department recently published a study showing that in 2008 exceedances of the PM₁₀ standards were associated with dust storms and not human activities in Doña Ana County 3-11 (NMED 2011). Southern Doña Ana County is also impacted by industrial sources in Mexico and Texas as well as in the Sunland Park and Anthony areas south of Las Cruces. A small area around the community of Anthony, approximately 30 miles southeast of the Planning Area, is designated as nonattainment for the PM₁₀ standard. In addition, an area in the corridor from Anthony south to Sunland Park is currently considered a maintenance area for ozone.”

As stated above, the project area is near a designated non-attainment area for particulate matter (PM₁₀), and an ozone maintenance area in Doña Ana County. Additionally, areas of the Monument may be designated as Visual Resource Management Class I and Class II areas. Therefore, it is especially important that information regarding the potential air quality impacts during the construction phase (surface disturbance related to route/trail network and possible facilities expansion) of the project and related mitigation measures (i.e., mitigation measures for PM/dust control, air quality impacts of construction vehicles etc.) are discussed. The Draft EIS/RMP only briefly mentions air quality impacts related to construction activities. For example, page ES-9 of the Draft EIS/RMP, states that construction of facilities could cause emissions, yet no information regarding mitigation measures is discussed in any detail.

Recommendation:

EPA recommends the use of best management practices for PM₁₀ and fugitive dust control (e.g., gravel roads, soil wetting practices, limiting access, traffic and speed reduction). In order to further reduce potential air quality impacts, the responsible agencies should also include a Construction Emissions Mitigation Plan (Plan) and adopt this Plan in the Record of Decision. In addition to measures included in the Draft EIS/RMP and all applicable local, state, or federal requirements, EPA recommends that the following mitigation measures (as applicable) be included in the Plan in order to reduce impacts associated with emissions of PM, and other pollutants from any construction-related activities:

Fugitive Dust Source Controls:

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate at active and inactive sites during workdays, weekends, holidays, and windy conditions;
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions; and
- Prevent spillage when hauling material and operating non-earthmoving equipment and limit speeds to 15 miles per hour. Limit speed of earth-moving equipment to 10 mph.

Mobile and Stationary Source Controls:

- Plan construction scheduling to minimize vehicle trips;
- Limit idling of heavy equipment to less than 5 minutes and verify through unscheduled inspections; and
- Maintain and tune engines per manufacturer's specifications to perform at EPA certification levels, prevent tampering, and conduct unscheduled inspections to ensure these measures are followed.

The FEIS should provide a more detailed discussion of emission increases and mitigation measures related to possible facilities construction, increased motor vehicle traffic, and any route/trail network expansion activities for motorized and non-motorized uses, for each of the project's alternatives.

3.2.15 Special Status Species, page 3-39

Table 3-13 should include a column that states if the project area contains the preferred habitat. Due to the status of the night-blooming cereus with the U.S. Fish and Wildlife Service, the BLM, and the State of New Mexico, attempts to survey or inventory the plant and any efforts to delineate the habitat within the Monument should be discussed.

5.3.2 Tribal Consultation, page 5-2

EPA recommends BLM continue to include the Tribes listed in this section during all appropriate phases of the project and contact Tribes as indicated in the text.